

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	Jutta Anna TÜRK; John Anthony Charles ARCHER	Confirmation No.:	To Be Assigned
Serial No.:	To Be Assigned [Continuation of Application No. Serial No. 09/469,211, filed December 22, 1999]	Art Unit:	To Be Assigned
Filed:	December 8, 20003	Examiner:	To Be Assigned
For:	CONTROL OF GENE EXPRESSION IN EUKARYOTES	Attorney Docket No.:	9341-033-999

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure provisions of 37 C.F.R. §1.56, there is hereby provided certain information which the Examiner may consider material to the examination of the subject U.S. patent application. It is requested that the Examiner make this information of record if it is deemed material to the examination of the application.

This application is a continuation application under 37 C.F.R. §1.60 or §1.53(b) or (d).

Enclosures accompanying this Information Disclosure Statement is a list of all patents, publications, applications, or other information submitted for consideration by the office.

Pursuant to 37 C.F.R. §1.98(d) copies of publications on the list accompanying this Information Disclosure Statement have previously been submitted in the parent application serial no. 09/469,211, filed December 22, 1999, and are not being submitted.

This Information Disclosure Statement is filed under 37 C.F.R. §1.97(b) before the mailing of the first Office action on the merits. However, the Commissioner is authorized to charge any additional fee required or credit any overpayment for this Information Disclosure Statement to Pennie & Edmonds LLP Deposit Account No. 16-1150.


No admission is made that the information cited in this Statement is, or is considered to be, material to patentability nor a representation that a search has been made (other than a search report of a foreign counterpart application or PCT International Search Report if submitted herewith). 37 C.F.R. §§1.97(g) and (h).

Respectfully submitted,

Date: December 9, 2003



Laura A. Coruzzi 30,742
(Reg. No.)



By: T. Christopher Tsang 40,258
(Reg. No.)

Enclosures

PENNIE & EDMONDS LLP
1155 Avenue of the Americas
New York, New York 10036-2711
(212) 790-9090

LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)	ATTY DOCKET NO. 9341-033-999	APPLICATION NO To Be Assigned
	APPLICANT Türk and Archer	
	FILING DATE December 8, 2003	GROUP To Be Assigned

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	5,659,122	8/19/1997	Austin			
	A02	5,723,765	3/3/1998	Oliver et al.			
	A03	5,789,156	8/4/1998	Bujard et al.			
	A04	5,989,910	11/23/1999	Mermoud et al.			
	A05	6,114,600	9/5/2000	Ow et al.			
	A06	6,130,368	10/10/2000	Londesborough et al.			
	A07						
	A08						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	WO99/00517	1/7/99	PCT				
	B02	WO 97/20056	6/5/97	PCT				
	B03	WO 96/27673	9/12/96	PCT				
	B04	WO 96/04393	2/15/96	PCT				
	B05	WO 93/21334	10/28/93	PCT				
	B06	WO 93/19189	9/30/93	PCT				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

C01	Aoyama and Chua, 1997, "A Glucocorticoid-Mediated Transcriptional Induction System in Transgenic Plants", Plant J. <u>11</u> :605-612
C02	Bechtold et al., 1993, "In planta Agrobacterium -Mediated Gene Transfer by Infiltration of Adult Arabidopsis thaliana Plants", C.R. Acad. Sci. Paris/Life Sciences <u>316</u> :1194-1199
C03	Boutry et al., 1987, "Targeting of Bacterial Chloramphenicol Acetyltransferase to Mitochondria in Transgenic Plants", Nature <u>328</u> :340-342
C04	Caddick et al., 1998, "An Ethanol Inducible Gene Switch for Plants Used to Manipulate Carbon Metabolism", Nature Biotechnology <u>16</u> :177-180
C05	Clough and Bent, 1998, "Floral Dip: A Simplified Method for Agrobacterium-Mediated Transformation of Arabidopsis thaliana", Plant J. <u>16</u> :735-743
C06	Felenbok, 1991, "The Ethanol Utilization Regulon of Aspergillus nidulans: the alcA-alcR System as a Tool for the Expression of Recombinant Proteins", J. Biotechnol. <u>17</u> :11-18
C07	Fillinger and Felenbok, 1996, "A Newly Identified Gene Cluster in Aspergillus nidulans Comprises Five Novel Genes Localized in the alc Region that are Controlled both by the Specific Transactivator AlcR and the General Carbon-Catabolite Repressor CreA", Mol. Microbiol. <u>20</u> :475-488
C08	Frohberg et al., 1991, "Characterization of the Interaction of Plant Transcription Factors Using a Bacterial Repressor Protein", Proc. Natl. Acad. Sci. USA <u>88</u> :10470-10474

C09	Gallie et al., 1987, "A Comparison of Eukaryotic Viral 5'-Leader Sequences as Enhancers of mRNA Expression <i>in vivo</i> ", Nucl. Acids Res. <u>15</u> :8693-8711
C10	Gatz et al., 1992, "Stringent Repression and Homogeneous De-Repression by Tetracycline of a Modified CaMV 35S Promoter in Intact Transgenic Tobacco Plants", Plant J. <u>2</u> :397-404
C11	Gatz et al., 1991, "Regulation of a Modified CaMV 35S Promoter by the Tn10-Encoded Tet Repressor in Transgenic Tobacco", Mol. Gen. Genet. <u>227</u> :229-237
C12	Gatz and Quail, 1988, "Tn10-Encoded <i>tet</i> Repressor Can Regulate an Operator-Containing Plant Promoter", Proc. Natl. Acad. Sci. USA <u>85</u> :1394-1397
C13	Giese et al., 1996, "Correlation of nonanucleotide motifs with transcript initiation of 18S rRNA genes in mitochondria of pea, potato and <i>Arabidopsis</i> ", Mol. Gen. Genet. <u>252</u> :429-436
C14	Goff et al., 1990, "Transactivation of Anthocyanin Biosynthetic Genes Following Transfer of <i>B</i> Regulatory Genes into Maize Tissues", EMBO J. <u>9</u> :2517-2522
C15	Gossen et al., 1995, "Transcriptional Activation by Tetracyclines in Mammalian Cells", Science <u>268</u> :1766-1769
C16	Hanna-Rose and Hansen, 1996, "Active Repression Mechanisms of Eukaryotic Transcription Repressors", TIG <u>12</u> :229-234
C17	Haydon and Guest, 1991, "A New Family of Bacterial Regulatory Proteins", FEMS Microbiol. Lett. <u>79</u> :291-296
C18	Hedley et al., 1993, "cDNA Cloning and Expression of a Potato (<i>Solanum tuberosum</i>) Invertase", Plant Mol. Biol. <u>22</u> :917-922
C19	Horsch et al., 1985, "A Simple and General Method for Transferring Genes into Plants", Science <u>227</u> :1229-1231
C20	Iturriaga et al., 1989, "Endoplasmic Reticulum Targeting and Glycosylation of Hybrid Proteins in Transgenic Tobacco", Plant Cell <u>1</u> :381-390
C21	Jefferson, 1987, "Assaying Chimeric Genes in Plants: the GUS Gene Fusion System", Plant Mol. Biol. Reporter <u>5</u> :387-405
C22	Jobling and Gehrke, 1987, "Enhanced Translation of Chimaeric Messenger RNAs Containing a Plant Viral Untranslated Leader Sequence", Nature <u>325</u> :622-625
C23	Kapila et al., 1997, "An <i>Agrobacterium</i> -Mediated Transient Gene Expression System for Intact Leaves", Plant Sci. <u>122</u> :101-108
C24	Klein et al., 1987, "High-Velocity Microprojectiles for Delivering Nucleic Acids into Living Cells", Nature <u>327</u> :70-73
C25	Knight and Gray, 1995, "The N-Terminal Hydrophobic Region of the Mature Phosphate Translocator Is Sufficient for Targeting to the Chloroplast Inner Envelope Membrane", Plant Cell <u>7</u> :1421-1432
C26	Kulmburg et al., 1992, "Specific Binding Sites for the Activator Protein, ALCR, in the <i>alcA</i> Promoter of the Ethanol Regulon of <i>Aspergillus nidulans</i> ", J. Biol. Chem. <u>267</u> :21146-21153
C27	Lloyd et al., 1994, "Epidermal Cell Fate Determination in <i>Arabidopsis</i> : Patterns Defined by a Steroid-Inducible Regulator", Science <u>266</u> :436-439
C28	Lüscher and Eisenman, 1990, "New Light on Myc and Myb. Part I. Myc", Genes Dev. <u>4</u> :2235-2241
C29	McKenzie et al., 1998, "Controlled Cytokinin Production in Transgenic Tobacco Using a Copper-Inducible Promoter", Plant Physiol. <u>116</u> :969-977
C30	Meijer et al., 1997, "Transcriptional Repression by Oshox1, a Novel Homeodomain Leucine Zipper Protein from Rice", Plant J. <u>11</u> :263-276
C31	Mett et al., 1993, "Copper-Controllable Gene Expression System for Whole Plants", Proc. Natl. Acad. Sci. USA <u>90</u> :4567-4571
C32	Moore et al., 1998, "A transcription activation system for regulated gene expression in transgenic plants", Proc. Natl. Acad. Sci. USA, <u>90</u> :376-381
C33	Paz-Ares et al., 1987, "The Regulatory <i>c1</i> Locus of <i>Zea mays</i> Encodes a Protein with Homology to <i>myb</i> Proto-Oncogene Products and with Structural Similarities to Transcriptional Activators", EMBO J. <u>6</u> :3553-3558
C34	Picard et al., 1988, "A Moveable and Regulable Inactivation Function within the Steroid Binding Domain of the Glucocorticoid Receptor", Cell <u>54</u> :1073-1080
C35	Potrykus et al., 1985, "Molecular and General Genetics of a Hybrid Foreign Gene Introduced into Tobacco by Direct Gene Transfer", Mol. Gen. Genet. <u>199</u> :169-177
C36	Powell et al., 1998, "Molecular characterization of a <i>Rhodococcus</i> <i>ohp</i> operon", Antoine Van Leeuwenhoek, Vol. 74, No.1-3, pp 175-188
C37	Raikhel, 1992, "Nuclear Targeting in Plants", Plant Physiol. <u>100</u> :1627-1632
C38	Reich et al., 1986, "Efficient Transformation of Alfalfa Protoplasts by the Intranuclear Microinjection of Ti Plasmids", Bio/Technology <u>4</u> :1001-1004

C39	Rensink et al., 1998, "Domains of a Transit Sequence required for in vivo Import in Arabidopsis Chloroplasts", Plant Physiol. <u>118</u> :691-699
C40	Röder et al., 1994, "Efficiency of the Tetracycline-Dependent Gene Expression System: Complete Suppression and Efficient Induction of the <i>rolB</i> Phenotype in Transgenic Plants", Mol. Gen. Genet. <u>243</u> :32-38
C41	Rossi et al., 1993, "Efficient and Sensitive Assay for T-DNA-Dependent Transient Gene Expression", Plant Mol. Biol. Reporter <u>11</u> :220-229
C42	Roth et al., 1991, " <i>C1</i> and <i>R</i> -Dependent Expression of the Maize <i>Bz1</i> Gene requires Sequences with Homology to Mammalian <i>myb</i> and <i>myc</i> Binding Sites", Plant Cell <u>3</u> :317-325
C43	Salter et al., 1998, "Characterisation of the Ethanol-Inducible <i>alc</i> Gene Expression System for Transgenic Plants", Plant J. <u>16</u> :127-132
C44	Schena et al., 1991, "A Steroid-Inducible Gene Expression System for Plant Cells", Proc. Natl. Acad. Sci. USA <u>88</u> :10421-10425
C45	Skuzeski et al., 1990, "Analysis of Leaky Viral Translation Termination Codons <i>in vivo</i> by Transient Expression of Improved β -Glucuronidase Vectors", Plant Mol. Biol. <u>15</u> :65-79
C46	Sommer et al., 1998, "Specific Induction of Secondary Product Formation in Transgenic Plant Cell Cultures using an Inducible Promoter", Plant Cell Reports <u>17</u> :891-896
C47	Tuerck and Fromm, 1994, "Elements of the Maize <i>A1</i> Promoter Required for Transactivation by the Anthocyanin <i>B/C1</i> or Phlobaphene <i>P</i> Regulatory Genes", Plant Cell <u>6</u> :1655-1663
C48	Twell et al., 1989, "Transient Expression of Chimeric Genes Delivered into Pollen by Microprojectile Bombardment", Plant Physiol. <u>91</u> :1270-1274
C49	Vancanneyt et al., 1990, "Construction of an Intron-Containing Marker Gene: Splicing of the Intron in Transgenic Plants and Its Use in Monitoring Early Events in <i>Agrobacterium</i> -Mediated Plant Transformation", Mol. Gen. Genet. <u>220</u> :245-250
C50	van Engelen et al., 1995, "pBINPLUS: An Improved Plant Transformation Vector Based on pBIN19". Transgenic Res. <u>4</u> :288-290
C51	Varagona et al., 1992, "Nuclear Localization Signal(s) Required for Nuclear Targeting of the Maize Regulatory Protein Opaque-2", Plant Cell <u>4</u> :1213-1227
C52	Vieira and Messing, 1982, "The pUC Plasmids, an M13mp7-Derived System for Insertion Mutagenesis and Sequencing with Synthetic Universal Primers", Gene <u>19</u> :259-268
C53	Weinmann et al., 1994, "A Chimeric Transactivator Allows Tetracycline-Responsive Gene Expression in Whole Plants", Plant J. <u>5</u> :559-569
C54	Wilde et al., 1992, "Control of Gene Expression in Tobacco Cells Using a Bacterial Operator-Repressor System", EMBO J. <u>11</u> :1251-1259

EXAMINER	DATE CONSIDERED
<p>*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>	